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**To: SPECIAL PROCEDURES SUBMISSION**

**From: Kenyon L. Schuett**

**Attn:**

**Date: December 17, 2004**

**Fax: 703-872-9306**

**Pages: (including cover)**

**RE: Petition for Withdrawal from Issue and a Request for Continues Examination**

DEC 17 2004

Attorney Docket No. 1305-026

**SPECIAL PROCEDURES SUBMISSION****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

APPLICANT: Ted SUPERAK

SERIAL NO.: 10/082,707

FILED: February 25, 2002

TITLE: Inbred Squash Line 833

EXAMINER: A. Kubelik

ART UNIT: 1638

CONF. NO:

**VIA FACSIMILE ONLY**  
**(703) 872-9306**Mail Stop 313(c)  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

**PETITION FOR WITHDRAWAL FROM ISSUE TO PERMIT  
CONSIDERATION OF A REQUEST FOR CONTINUED EXAMINATION  
UNDER 37 C.F.R. § 1.114 (37 C.F.R. § 1.313(c)(2))**

Applicant hereby petitions for the withdrawal of this application from issue. The issue fee was paid on October 28, 2004.

The reason for petitioning for withdrawal from issue of this application is for consideration of a Request for Continued Examination under 37 C.F.R. §1.114.

Enclosed is an Amendment under 37 C.F.R. §1.312 along with a Request For Continued Examination under 37 C.F.R. § 1.114(a)(1) and a Form PTO-2038. Examiner Kubelik requested that a new Amendment under 37 C.F.R. §1.312 be submitted with this Petition (attached) to address the issue stated in Examiner Kubelik's Advisory Action mailed November 18, 2004.

**37 CFR 1.8****CERTIFICATE OF TRANSMISSION**

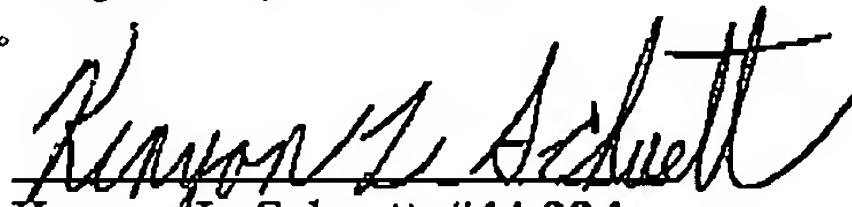
I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office facsimile No (703) 872-9306 on December 17, 2004

Signature: 

Name: Elizabeth L. Bennett-Jarvis

The undersigned hereby authorizes the charge of the fee under 37 CFR §1.17(h) in the amount of \$130.00 and any deficiency of fees submitted herewith to be charged to deposit account No. 50-2368.

Respectfully submitted,



Kenyon L. Schuett, #44,324

December 17, 2004

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